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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/038,658	01/08/2002	Bonnie S. Clark	P21506	8996
7055	7590	02/15/2005	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			TAYLOR, BARRY W	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/038,658

Applicant(s)

CLARK ET AL.

Examiner

Barry W Taylor

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Driskell et al (U.S. 6,072,493 hereinafter Driskell) in view of O'Neal et al (6,639,975 hereinafter O'Neal).

Regarding claims 1, 4, 7, 16, 25 and 30. Driskell teaches system and method for associating services information with selected elements of an organization (abstract), comprising:

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retrieving billing information from a billing repository (abstract, col. 3 lines 18-67, col. 16 lines 34-41, col. 20 lines 23-36);

processing the billing information in accordance with customer-defined format stored in a database, the customer-defined format comprising hierarchy (abstract, col. 1 lines 45-56, col. 3 lines 18-39, lines 49-67, col. 5 lines 33-62, col. 6 lines 17-37, lines 52-55, lines 61-65, col. 7 lines 5-17, col. 8 lines 41-45, lines 54-55, col. 8 line 66 – col. 9 line 3, col. 9 lines 27-58, col. 10 lines 47-49, col. 11 lines 29-65, col. 12 lines 48-60, col. 13 lines 28-30, col. 16 lines 15-17, lines 62-65);

sending the processed billing information to an output operation where a bill is generated in accordance with the hierarchy (col. 1 lines 12-20, col. 1 line 65 – col. 2 line 7, col. 6 line 17 – col. 7 line 40, col. 8 line 46 – col. 9 line 67, col. 11 lines 4-65, col. 13 lines 28-30, col. 15 lines 15-28, col. 16 lines 8-65);

sending the bill to customer (col. 1 lines 12-20, col. 1 line 65 – col. 2 line 7, col. 6 line 17 – col. 7 line 40, col. 8 line 46 – col. 9 line 67, col. 11 lines 4-65, col. 13 lines 28-30, col. 15 lines 15-28, col. 16 lines 8-65).

Driskell does not teach storing billing data with associated information indicating whether the customer desires presentation of billing information via web-based billing application (see Applicants newly amended independent claims 1, 4, 7, 16, 25 and 30, paper dated 6/29/2004, After Final Amendment, and Applicants remark on page 11, lines 7-10).

O'Neal teaches an interactive billing control system wherein customers are given options of how they would like to receive their billing data (see figure 6, "How do you

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want your monthly statement?", WEB, Email, FAX or Send me a paper invoice with call detail and payment handling) allowing users to specify payment options and enables periodic statement access via thin web client (top of figure 6).

Therefore, it would have been obvious for any one of ordinary skill in the art at the time of invention to modify the invention as taught by Driskell to use web client as taught by O'Neal in order to provide a more flexible system that allows users to select how they want to receive their billing information.

Regarding claims 2, 5, 10-12, and 19-21. Driskell teaches the hierarchy is organized according to corporate structure and/or geographical location of company units (see figures 3-7 and figures 9-10 wherein both corporate and geographical used in hierarchy, figure 15 also shows division, branch, department (i.e. corporate structure) affiliated with geographical location (i.e. western region or eastern region), figure 17 clearly shows corporate structure (see the XYZ Corporation) associated with region, state, city and branch).

Regarding claims 3, 6, 8-9, 13-15, 17-18, 22-24, 26, 28-29 and 31. Driskell teaches the customer-defined format comprises customer-defined labels, passwords, etc., (see company name and description in figures 3-7 and figures 9-10, col. 16 lines 62-65, col. 28 line 62 – col. 34 line 67).

Regarding claim 27. Driskell also teaches displaying billing information from multiple telecommunications carriers, each having a distinct billing system, therefore not affecting upstream billing (col. 6 lines 28-37, col. 8 lines 39-45, lines 54-55, lines 66-67).

Regarding claims 32-33. Driskell teaches billing information presented to customer in accordance with a billing period defined by customer (see at least col. 28 line 63 – col. 29 line 6, col. 29 line 7 – col. 30 line 23, col. 32 lines 6-7, col. 33 lines 1-50, col. 34 lines 43-67).

Regarding claims 34 and 35. Claims 34 and 35 do not contain any additional features, which, in combination with the features of claims 7 and 16 would lead to a novel subject matter. The Examiner notes that restricting access to data, as defined in claim 34 and 35, is an inherent measure to a person with minimum skill in the art. Furthermore, Driskell teaches modifying security access of users starting at the bottom of column 28.

Response to Arguments

2. Applicant's arguments with respect to claims 1-35 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

3. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks
Washington, D.C. 20231
or faxed to:
(703) 872 9314,

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(for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry W. Taylor, telephone number (703) 305-4811, who is available Monday-Friday, 6:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached at (703) 305-4708. The facsimile phone number for this group is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group 2600 receptionist whose telephone number is (703) 305-4750, the 2600 Customer Service telephone number is (703) 306-0377.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Art Unit 2643